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WV Agency Issues Shutdown Order to Freedom Industries

Jan 13, 2014

We s tate agencies have taken enforcement action against Freedom Industries, the chemical distributor involved in a Jan. 9 leak of at least 3,000 gallons of 4-Methylbiphenyl M ethanoben as "Crude M CHM" from one of its storage tanks. The chemical has contaminated the drinking water supply to Charleston, the state capital, and surrounding counties, affecting 300,000 residents who have been told not to drink or use their tap water except for flushing toilets. Water testing continued Sunday, and schools are closed.

A retaining wall around the tank should have prevented the spill but did not, and did not prevent the leak itself.

The West Virginia Department of Environmental Protection's Division of Water and Waste Management issued a Cease Operations Order to Freedom Industries' Etowah River Terminal, LLC after the leak was found, and the agency's Division of Air Quality (DAQ) issued a violation notice alleging that Freedom Industries caused statutory air pollution by discharging MCHM into the air.

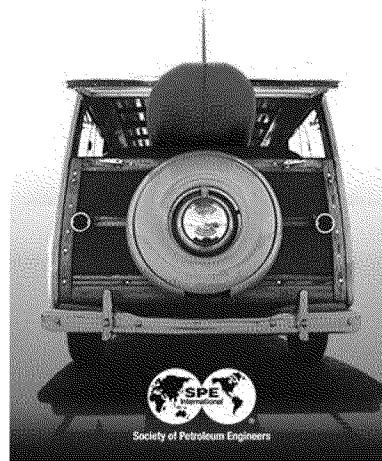
When DAQ personnel investigated citizen complaints of objectionable odors near and downriver from the terminal, they found the leaking tank. No spill containment measures had been initiated, and a pool of MCHM was seeping through a containment dike, according to the agency.

The Water and Waste Management Division also is requiring Freedom Industries Inc. to remove the contents in 11 other above-ground storage tanks at the terminal and store them at a site (it includes calcium chloride and glycerin) in an offsite area that provides adequate secondary containment. The MCHM in three other tanks, including the one that leaked Jan. 9, have been removed and relocated to another facility, the agency announced Jan. 10.

An investigative team from the U.S. Chemical Safety and Hazard Investigation Board is scheduled to arrive Jan. 13 on the scene. "This incident continues to impact people of West Virginia — our goal is to find out what happened to allow a leak of such magnitude to occur and to ensure that the proper safeguards are in place to prevent similar incidents from occurring," CSB Chairperson Rafael Moure-Eraso said.

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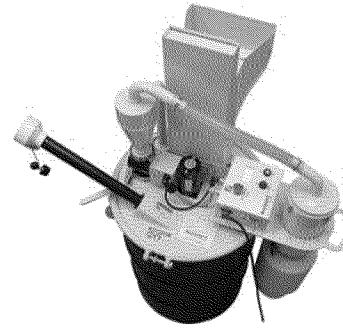
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14901 Quorum Drive, Suite 425

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(972) 687-6700



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